

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

RAY PINEDA,)	
)	
Plaintiff,)	3:06-cv-00424-LRH (VPC)
)	
v.)	
)	<u>ORDER</u>
NDOC, et al.,)	
)	
Defendants.)	
_____)	

Before this Court is Report and Recommendation of U.S. Magistrate Valerie P. Cooke (#96¹) entered on July 17, 2009, recommending granting Defendants' Motion for Summary Judgment (#75) filed on April 17, 2009, denying Plaintiff's Motion for Summary Judgment (#73) filed on April 10, 2009, and denying Plaintiff's Motion to Strike filed May 14, 2009 (#90). Plaintiff filed his Objection to Report and Recommendation by U.S. Magistrate Judge (#99) on August 6, 2009, and Defendants filed their Points and Authorities in Support of Magistrate's Report and Recommendation (#96) on August 12, 2009, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record

¹Refers to court's docket number.

1 pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate
2 Judge's Report and Recommendation (#96) entered on July 17, 2009, should be adopted and accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
4 (#96) entered on July 17, 2009, is adopted and accepted, and Defendant's Motion for Summary
5 Judgment (#75) is GRANTED, Plaintiff's Motion for Summary Judgment (#73) is DENIED and
6 Plaintiff's Motion to Strike (#90) is DENIED.

7 The Clerk of the Court shall enter judgment accordingly.

8 IT IS SO ORDERED.

9 DATED this 10th day of September, 2009.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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